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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

Chapter 7
Case No. 19-12819-shl

NICHOLAS J. SANDS,

Debtor.

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RESPONSE OF DEBTOR TO BANK OF AMERICA N.A.
MOTION FOR RELIEF FROM THE AUTOMATIC STAY
AND CO-DEBTOR STAY

Bronson Law Offices, P.C. (the “Firm”) on behalf of Nicholas J. Sands, the above-referenced debtor (the “Debtor”), hereby responds to the Application for Relief from Automatic Stay and Co- Debtor Stay filed by Select Portfolio Servicing, Inc. as Servicer for U.S. Bank NA, (“Secured Creditor”) and in furtherance thereof, respectfully sets forth and alleges:

1. On September 3, 2019, the Debtor filed a voluntary petition for relief under Chapter 13 of Title 11 of the United States Code.
2. On February 10, 2020, the case was converted by the Court to one under Chapter 7. Chapter 7 Trustee Deborah Piazza was appointed to administer the case.
3. The amount the Secured Creditor states to be the “approximate debt” is \$1,167,865.44. Secured Creditor does not dispute the value of the property as scheduled by the Debtor is \$2,200,000.

4. Therefore, the Secured Creditor is adequately protected and is lacking grounds for relief under 11 U.S.C. §362(d)(1).

5. Additionally, there is equity in the property and in fact the Debtor understands that the Chapter 7 Trustee may undertake to sell the property for the benefit of the all the creditors. Accordingly, there are also no grounds for relief under 11 U.S.C. §362(d)(2) and the relief must be denied.

WHEREFORE, the Debtor respectfully requests that this Court deny the Secured Creditor's Application for Relief from The Automatic Stay at this time to allow the Trustee to determine if she will sell the property and grant such other and further relief as is just and proper.

Dated: Harrison, NY
November 3, 2020

BRONSON LAW OFFICES, P.C.

/s/ H. Bruce Bronson
H. Bruce Bronson, Esq.